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## COMBINED DECLARATION AND POWER OF ATTORNEY

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As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### OPTIMAL BATTERY CHARGING FOR DAMAGE MITIGATION

the specification of which

\_\_\_\_\_ is attached hereto.

\_\_\_\_\_ was filed on December 6, 2004 as Application Serial No. 10/517,674.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Priority Claimed

PCT/US03/17028	PCT	30 May 2003	X	
Number	Country	Date Filed	Yes	No

### English Language Declaration

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/385,527</u>	<u>04 June 2002</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status

**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

5/ George W. Moxon II, Reg. No. 26,615; James C. Scott, Reg. No. 35,351; Mark C. Terzola, Reg. No. 40,201; Dominic A. Frisina, Reg. No. 55,807; and Joseph Crimaldi, Reg. No. 41,690.

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Send Correspondence to: George W. Moxon II  
Roetzel & Andress  
222 South Main Street  
Akron, Ohio 44308

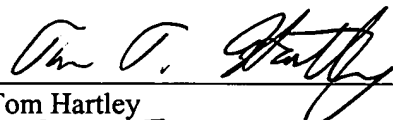
Direct Telephone Calls to: George W. Moxon II  
Telephone: (330) 849-6689

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## DECLARATION

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE

1-00  
Inventor:   
Tom Hartley

Date 4/28/2005

Residence: 3649 Mogadore Rd.  
Mogadore, OH 44260 OH

Post Office Address: (same as above)

Citizenship: US

2-00  
Inventor:   
Carl Lorenzo

Date 4/28/2005

Residence: 3275 W. 157<sup>th</sup> Street  
Cleveland, OH 44111 OH

Post Office Address: (same as above)

Citizenship: US